

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DAVID E. KAPLAN, ROXY D. SULLIVAN,
LINDSEY RANKIN, MICHAEL S. ALLEN,
GARY W. MUENSTERMAN, and CHI-PIN HSU,
Individually and on Behalf of All Others Similarly
Situating,

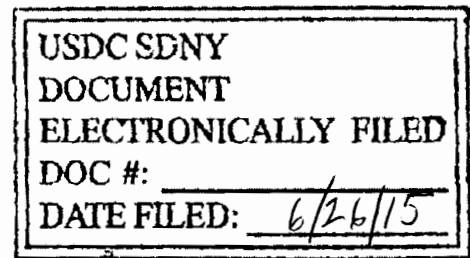
Plaintiffs,

-against-

S.A.C. CAPITAL ADVISORS, L.P., S.A.C.
CAPITAL ADVISORS, INC., CR INTRINSIC
INVESTORS, LLC, CR INTRINSIC
INVESTMENTS, LLC, S.A.C. CAPITAL
ADVISORS, LLC, S.A.C. CAPITAL
ASSOCIATES, LLC, S.A.C. INTERNATIONAL
EQUITIES, LLC, S.A.C. SELECT FUND, LLC,
STEVEN A. COHEN, MATHEW MARTOMA,
and SIDNEY GILMAN,

Defendants.
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KEVIN NATHANIEL FOX
UNITED STATES MAGISTRATE JUDGE



ORDER

12 Civ. 9350 (VM)(KNF)

By a letter motion, the plaintiffs have requested that the Court compel defendant S.A.C. Capital Advisors, L.P. and its affiliates (collectively "S.A.C. defendants") to produce: (a) internal investigatory materials related to the issue of control person liability under Section 20(a) of the Securities Exchange Act, 15 U.S.C. § 78t; and (b) documents concerning the indemnification of individual defendant Mathew Martoma ("Martoma") by the S.A.C. defendants in connection with this action. By a letter dated June 10, 2015, the plaintiffs withdrew their request for production of the S.A.C. defendants' internal investigatory materials but continue to seek documents pertaining to the indemnification of Martoma. Martoma opposes that branch of the plaintiffs' motion.

Also by a letter motion, the defendants have requested that the Court compel the Elan shareholder plaintiffs to produce "contracts, litigation funding agreements, other similar

documents executed between their counsel and third parties relating to this case, and correspondence with those funders or third parties about this case (the 'Litigation Funding Documents').” The plaintiffs oppose the motion. By an order dated May 15, 2015, the parties were directed to submit memoranda of law to the Court, with citations to binding caselaw, in support of their respective positions.

The Court has considered all the submissions made in connection with the parties' respective motions and has determined to: (1) grant the plaintiffs' request for documents concerning the indemnification of defendant Martoma by the S.A.C. defendants; and (2) deny the defendants' request for the Elan shareholder plaintiffs' Litigation Funding Documents. Therefore,

IT IS HEREBY ORDERED that documents concerning the indemnification of defendant Martoma by the S.A.C. defendants in this action shall be disclosed to the plaintiffs within fourteen (14) days of the entry of this order.

This Order resolves the matters appearing at Docket Entries No. 186, 187 and 189.

Dated: New York, New York
June 26, 2015

SO ORDERED:



KEVIN NATHANIEL FOX
UNITED STATES MAGISTRATE JUDGE